

# Notice of Allowability

Application No.

09/855,422

Examiner

Lana N. Le

Applicant(s)

ZUMKELLER ET AL.

Art Unit

2618

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/02/06.
2. ☒ The allowed claim(s) is/are 16-59.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with applicant's representative, Bradley Lytle, on 7/29/06.
3. The application has been amended as follows:
  - in claim 16, line 11, after "so as", delete ---to at least partially remove said unwanted signal part---, add ---to have more of a higher frequency unwanted signal part to lie substantially outside the passband of the IF filter----;
  - in claim 26, line 10, after ""IF bandwidth", delete ---to remove at least a portion of said unwanted signal part----, add ---to have more of a higher frequency unwanted signal part to lie substantially outside the passband of the IF filter--;
  - in claim 31, line 11, after "IF filter", add ---in order to shift said wanted center frequency toward a higher frequency within a passband of said at least one IF filter so as to have more of a higher frequency unwanted signal part to lie substantially outside the passband of the IF filter----;
  - in claim 35, line 12, after ""IF filter", delete ---to remove at least a portion of said unwanted signal part----, add ---to have more of a higher frequency unwanted signal part to lie substantially outside the passband of the IF filter--;

- in claim 38, line 11, after ““so as”, delete --- to at least partially remove said unwanted signal part---, add ----to have more of a higher frequency unwanted signal part to lie substantially outside the passband of the IF filter----;
- in claim 48, line 10, after ““IF bandwidth”, delete ---to remove at least a portion of said unwanted signal part----, and add ---to have more of a higher frequency unwanted signal part to lie substantially outside the passband of the IF filter--;
- in claim 53, line 11, after “IF filter”, add ---in order to shift said wanted center frequency toward a higher frequency within a passband of said at least one IF filter so as to have more of a higher frequency unwanted signal part to lie substantially outside the passband of the IF filter----;
- in claim 57, line 12, after “IF filter”, delete ---to remove at least a portion of said unwanted signal part----, add ---to have more of a higher frequency unwanted signal part to lie substantially outside the passband of the IF filter--.

#### ***REASON FOR ALLOWANCE***

4. The following is an examiner's statement of reasons for allowance:

Regarding independent claims 16, 26, 31, 35, 38, 48, 53 and 57, they are allowable for the reason as set forth in applicant's amendment and remarks, pages 2-5 and the examiner's amendment made above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

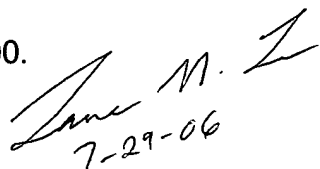
### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lana N. Le whose telephone number is (571) 272-7891. The examiner can normally be reached on M-F 9:30-18:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lana Le

  
7-29-06  
LANA LE  
PRIMARY EXAMINER